

DENTISTRY EXAMINING BOARD  
REGULAR MEETING  
MARCH 7, 2001

MEMBERS PRESENT: Bruce Barrette, DDS; David Carroll, RDH; Mark Curran, DDS; Judith Ficks; Wilbur Gill, DDS (via telephone/excused at 10:23 a.m.); Beth Jacko-Clemence, RDH; Nanette Kosydar Dreves, RDH; Cynthia Riffle, DDS; Cathy Schleis, RDH (not yet confirmed); Richard Strand, DDS; Bruce Trimble, DDS

LEGAL COUNSEL: Jacquelynn Rothstein

STAFF PRESENT: Patrick D. Braatz, Karen Rude-Evans

GUESTS: Bethany Tenuta, Hilbert & Tenuta/WDHA; Mara Brooks, Sandy Westenberger and Patti Bvlanka, WDHA

CALL TO ORDER

Chair Bruce Barrette called the meeting to order at 8:32 a.m.

APPROVAL OF AGENDA

Amendment: -Discussion of *Regulatory Digest*

MOTION: Judith Ficks moved, seconded by Nanette Kosydar Dreves, to approve the agenda as amended.

APPROVAL OF MINUTES OF JANUARY 3, 2001

MOTION: Mark Curran moved, seconded by Richard Strand, to approve the Minutes of January 3, 2001 as written. Motion carried unanimously.

ACTING SECRETARY BILL CONWAY

Acting Secretary Bill Conway briefly addressed the Board. Mr. Conway will continue as Acting Secretary until the new Secretary is appointed.

REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND  
ADMINISTRATIVE RULES

These reports were informational.

## DISCUSSION REGARDING DE 2.04(1)(e) RELATING TO EXAMINATION REQUIREMENTS FOR APPLICANTS LICENSED AS DENTISTS IN OTHER STATES

MOTION: Mark Curran moved, seconded by Beth Jacko-Clemence, to reaffirm the Board's commitment to substantial equivalency of examinations for licensure. If there is a question of whether or not an examination is equivalent, the file will be brought to the Board and reviewed on a case-by-case basis. Motion carried unanimously.

## ORAL ARGUMENTS IN THE MATTER CONCERNING BRIAN PAINTER, DDS

Attorney Pam Stach presented oral arguments on behalf of the State and Attorney Jeffrey DeMeuse presented oral arguments on behalf of Brian Painter, DDS. Dr. and Mrs. Painter also were present, but did not address the Board. This matter will be deliberated on in closed session.

## CRDTS AND AADE UPDATE

Cynthia Riffle reported that the CRDTS new removable prosthetics exam hopefully will be set up next week for people to look at, however the questions and answers will not be available. The upcoming AADE meeting should be very interesting, as the topic is practitioner mobility and access to care. Richard Strand and the Board congratulated Cynthia Riffle on being elected Third Vice President of AADE.

## AADE EXECUTIVE MEETING FEBRUARY 6, 2001

This item was informational.

## 12<sup>TH</sup> ADDITION OF THE COMPOSITE OF THE AADE

This item was informational.

## UPDATE REGARDING SPECIAL COMMITTEE ON DENTAL CARE ACCESS

Jacquelynn Rothstein reported the last and final meeting of the Special Committee on Dental Care Access was held February 20, 2001. Two final drafts were reviewed and passed. One bill has fiscal provisions and the other does not. The bills now go to the Legislative Reference Bureau for drafting. The Legislative Council meets as a whole on March 14, at which time the co-chairs of the Special Committee on Dental Care Access will present the Committee's report to the Council. From that point forward, these bills could potentially go through the legislative process. This is a very tight budget session, and Ms. Rothstein is not confident that items with large fiscal notes will be passed.

## *REGULATORY DIGEST*

The draft of the *Regulatory Digest* was reviewed and some suggestions were made. Nanette Kosydar Dreves will take the draft home for further review.

## THANK YOU AND PRESENTATION TO BETH JACKO-CLEMENCE

The Board presented Beth Jacko-Clemence with an engraved clock as a thank you for her years of service and expertise.

## RECESS TO CLOSED SESSION

MOTION: Judith Ficks moved, seconded by Cynthia Riffle, to recess to closed session pursuant to Chapter 19.85(1)(a), (b), (f) and (g), Wis. Stats., for the purpose of personal appearances, reviewing a monitoring report, reviewing applications for licensure, considering a request to take the hygiene exam a fourth time, deliberation of a proposed decision, considering requests for stays of suspensions and changes in board orders, reviewing case status reports, meeting with the Division of Enforcement and consulting with legal counsel. Roll call vote: Bruce Barrette- yes, David Carroll – yes, Mark Curran – yes, Judith Ficks – yes, Beth Jacko-Clemence – yes, Nanette Kosydar Dreves – yes, Cynthia Riffle – yes, Richard Strand – yes, Bruce Trimble - yes. Motion carried unanimously.

Open session recessed at 10:28 a.m.

## RECONVENE IN OPEN SESSION

MOTION: Judith Ficks moved, seconded by Richard Strand, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 3:18 p.m.

## VOTING ON ITEMS CONSIDERED/DELIBERATED ON IN CLOSED SESSION

### PERSONAL APPEARANCES/REQUESTS FOR REINSTATEMENT OF LICENSES

#### THEODORE R PRICE, DDS

Jacquelynn Rothstein disclosed she has an association with Dr. Price's attorney. The Board did not see any conflict of interest. Dr. Price appeared with his attorney, Tom Hayes.

MOTION: Judith Ficks moved, seconded by Cynthia Riffle, to reinstate the license of Theodore R. Price, DDS. Nanette Kosydar Dreves – no. Motion carried.

#### JERRY GRAGG, DDS

Dr. Gragg appeared with his attorney, Hal Harlowe.

MOTION: Judith Ficks moved, seconded by Nanette Kosydar Dreves, to reinstate the license of Jerry Gragg, DDS. Motion carried unanimously.

PERSONAL APPEARANCE/REQUESTING STAY OF SUSPENSION

MARY WEILGUS, DDS

Dr. Weilgus appeared with her attorney, David Ham.

MOTION: Cynthia Riffle moved, seconded by Mark Curran, to deny the request for a stay of suspension to Mary Weilgus, DDS. Dr. Weilgus must 1) have her skills assessed by taking and successfully passing CRDTS, 2) propose to the Board an employment setting with supervised practice in a highly controlled environment with highly repetitive behavior, and 3) show evidence of medication compliance and ongoing therapy, including assertiveness issues. The Board will review all the documentation when received. Motion carried unanimously.

REVIEW OF MONITORING REPORT

NILES BAKKE, DDS

The Board will reviewed the report. The next review will be done in July.

REQUESTS FOR STAYS OF SUSPENSIONS/MODIFICATIONS TO BOARD ORDERS

BRIAN J BLOCHER, DDS

MOTION: Judith Ficks moved, seconded by Beth Jacko-Clemence, to grant a three-month stay of suspension to Brian J. Blocher, DDS. Motion carried unanimously.

JAMES J BLONG, DDS

MOTION: Judith Ficks moved, seconded by Cynthia Riffle, to grant a two-month stay of suspension to James J. Blong, DDS. Motion carried unanimously.

LEON O CUMMINGS, DDS

MOTION: Cynthia Riffle moved, seconded by David Carroll, to grant a three-month stay of suspension to Leon O. Cummings, DDS. Motion carried unanimously.

CRAIG MOON, DDS

MOTION: Mark Curran moved, seconded by Richard Strand, to grant a four-month stay of suspension to Craig Moon, DDS. Motion carried unanimously.

JAMES MARKENSON, DDS

MOTION: Cynthia Riffle moved, seconded by Nanette Kosydar Dreves, to grant a three-month stay of suspension to James Markenson, DDS. Motion carried unanimously.

MICHAEL MICIKALSKI, DDS

MOTION: Nanette Kosydar Dreves moved, seconded by Richard Strand, to grant a four-month stay of suspension to Michael Micikalski, DDS. Motion carried unanimously.

REQUEST FOR REINSTATEMENT OF LICENSE

PATRICIA VAN DE WEERD, RDH

MOTION: Judith Ficks moved, seconded by Beth Jacko-Clemence, to grant an unlimited license to Patricia Van De Weerd as she has met all requirements of the Order. David Carroll – no, Nanette Kosydar Dreves – no, Bruce Trimble – no. Motion carried.

APPLICATION REVIEWS

SUSAN L PROVINCE, DDS

MOTION: Cynthia Riffle moved, seconded by Richard Strand, to grant a limited license to Susan L. Province, DDS, upon her signing of the stipulation that she cannot practice orthodontics until the probation on her Pennsylvania license is lifted.

DONALD A JONES, DDS

MOTION: Cynthia Riffle moved, seconded by Richard Strand, to accept the state board exam as substantially equivalent to CRDTS and to issue a license to Donald A. Jones, DDS. Motion carried unanimously.

HARVEY D POLING, DDS

MOTION: Beth Jacko-Clemence moved, seconded by Nanette Kosydar Dreves, to accept the state board exam as substantially equivalent to CRDTS and to issue a license to Harvey D. Poling, DDS. Motion carried unanimously.

## REQUEST TO TAKE THE HYGIENE EXAM A FOURTH TIME

KIMBERLEE KAY WIECZOREK

MOTION: Mark Curran moved, seconded by Beth Jacko-Clemence, to inform Kimberlee Kay Wieczorek that she must retake the second clinical semester, must pass the mock boards and must provide documentation to the Board that she has met these requirements before the Board will reconsider her request to take the CRDTS exam a fourth time. Nanette Kosydar Dreves – no. Motion carried.

## DELIBERATION OF PROPOSED STIPULATION

BRIAN PAINTER, DDS

MOTION: David Carroll moved, seconded by Judith Ficks, to adopt the Findings of Fact as amended in the matter concerning Brian Painter, DDS. Case advisor Bruce Trimble abstained. Motion carried.

MOTION: Richard Strand moved, seconded by Nanette Kosydar Dreves, to adopt the Conclusions of Law as amended in the matter concerning Brian Painter, DDS. Case advisor Bruce Trimble abstained. Motion carried.

MOTION: Beth Jacko-Clemence moved, seconded by Mark Curran, to issue the Order with the variance in the matter concerning Brian Painter, DDS. Case advisor Bruce Trimble abstained. Motion carried.

## CASE STATUS REPORT

MOTION: Mark Curran moved, seconded by Richard Strand, to close complaint **98 DEN 103** for prosecutorial discretion. Case advisor Bruce Barrette abstained. Motion carried.

MOTION: Judith Ficks moved, seconded by Richard Strand, to close complaint **99 DEN 080** for compliance gained. Case advisor Nanette Kosydar Dreves abstained. Motion carried.

MOTION: Richard Strand moved, seconded by Mark Curran, to close complaint **00 DEN 078** for prosecutorial discretion. Case advisor Bruce Trimble abstained. Motion carried.

MOTION: Judith Ficks moved, seconded by Nanette Kosydar Dreves, to close complaint **99 DEN 053** for prosecutorial discretion. Case advisor Bruce Trimble abstained. Motion carried.

MOTION: Nanette Kosydar Dreves moved, seconded by Judith Ficks, to close complaint **98 DEN 106** for prosecutorial discretion. Case advisor Bruce Trimble abstained. Motion carried.

MOTION: Richard Strand moved, seconded by Mark Curran, to close complaint **00 DEN 056** for no violation. Case advisor Judith Ficks abstained. Motion carried.

MOTION: Mark Curran, seconded by Nanette Kosydar Dreves, to close complaint **00 DEN 001** administratively as it was opened in error. Motion carried unanimously.

MOTION: Richard Strand moved, seconded by Judith Ficks, to close complaint **96 DEN 011** for prosecutorial discretion. Case advisor Mark Curran abstained. Motion carried.

#### INFORMATIONAL ITEMS

The informational items were noted by the Board.

#### ADJOURNMENT

MOTION: Beth Jacko-Clemence moved, seconded by Judith Ficks, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:31 p.m.

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